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www.svcoc.org

December 15, 2003

Laura Babcock, Chair  
Planning Commission  
City of Sunnyvale  
P O Box 3707  
Sunnyvale, CA 94088-3707

Dear Chair Babcock and Members of the Planning Commission

The Sunnyvale Chamber of Commerce has been asked to review and comment on the issue before you this evening in regards to the property located at 198 South Wolfe Road. Since this project was approved in 2000 I was involved with the Chamber at that time and had some recollection of the issues concerning the residents of the nearby condo development and the Lees. At the time of approval of this project the Chamber voiced support for the Lees and the facility.

There appears to be some misunderstanding concerning "retail service use" and "retail sales business". Rather than enter a debate about how it was determined that this use is non-conforming, the Chamber has encouraged Ms Lee to meet with the neighbors and the city staff to review the issues and try to find some middle ground that is acceptable to all parties. It was and continues to be the Chamber's opinion, that the original proposal was a good development for the site and Ms Lee worked very hard to find ways to make the project more acceptable to the neighbors. The Lees invested significant additional dollars to improve the project for the good of the neighbors. The issues with parking and trash need to be reviewed but should not be lumped together with the debate concerning the type of business may lease in this building.

While we are unable to attend the meeting tonight, the Chamber did want to be on record noting that Ms. Lee has a reputation for being an excellent business owner and has tried very hard to make her project a value-add to the neighborhood. The continuing debate over the use of her property needs to be resolved definitively. The constant bickering between Ms Lee, the restaurant owners, and the neighbors does not allow any of the participants an opportunity to benefit from their investment.

Sincerely,

  
Suzi Blackman  
President/CEO

To Honorable City Council ,Honorable Planning Commissioners and City Planners  
City of Sunnyvale

Dear Honorable City Council,Hon. City Planning commissioners and Planners

Re : 1698 S. Wolfe Rd. Sunnyvale, CA.

On this expensive piece of land, we finally built this tiny building, after 3 years of delay and over budget by 3 quarters of a million dollars.

We have done everything the City wanted us to do. All we are hoping at this time is that you will consider our severe difficulties and give us a fair chance of survival, so that we can go through this difficult economic times, by granting the permission for our tenant, Sincere Kitchen and Bath Design, to keep their cabinet design showroom in the leased space.

They provide design services to the community only. There is no cash and carry activities in the building, and our parking lot is always more than half empty at all times during the last several months, so parking is not a problem at all.

Your kindness in helping small businesses to survive will be greatly appreciated.

Yours sincerely

  
Stanley Lee and Rita Lee 12-11-03

RECEIVED

DEC 12 2003

PLANNING DIVISION

To: Sunnyvale Planning Commission

From: Christine Fronczak  
1691 Nighthawk Terrace  
Sunnyvale, CA 94087

Re: Lee Dental Building  
1698 S. Wolfe Rd  
Sunnyvale, CA  
Application for retail permit

Dear Planning Commission,

Attached is a list of details that I presented to the Sunnyvale City Council on December 2, 2003. As you can see from this attachment, I am opposed to the proposed retail use at 1698 S. Wolfe Road.

1) I ask that the Commission consider the very close proximity to our residential homes (less than 75 feet from our bedrooms) and deny this application for retail based on the following:

--Insufficient parking currently for the Lee Dental Offices. Retail usage would increase that parking problem. We have had spill over into our neighborhood and believe that increased usage in this building would cause further parking issues. Since the retail store opened in the Fall of 2003 (without permit in existence), I have noted a great increase of parking issues and traffic congestion on this corner.

--Expanded usage of the Lee Dental building will cause further noise disturbances and impact to the nearby residences

Further, I ask that the Commission discourage further retail permit applications for this property UNLESS a considerable change of circumstances can be proven.

2) Additionally, I ask that you place legal restrictions on the Lees so that their parking lot cannot be used for retail or restaurant parking (Samkee parking). Restriction of this lot was a fundamental reason for my agreement and support of the Lee's dental building. Please require the Lees to chain off the lot after 7:00 p.m. as originally agreed. The Lees have now seemingly forgotten that they made this promise to the neighbors. Samkee parking in this lot is a continual source of noise and garbage litter and is an unacceptable use of this property. Evening parties at the Samkee that go until very late evening hours disrupt our lifestyle in our own homes and have caused many complaints to Sunnyvale Public Safety (sometimes multiple calls in a single evening).

3) When applying for the current medical/dental and office usage at 1698 S. Wolfe Road, the Lees agreed to some "good neighbor" actions with the bordering townhome community. Some of these agreements have not been fulfilled and I ask that the Commission now require the Lees to fulfill the following:

--Chain off parking lot as requested above after 7:00 p.m.

--Turn off the parking lot lights at 8:30 p.m. as originally agreed with the Lees and Ray Tong. These lights are located some 10 feet from our master bedrooms.

--Turn off the lights at night in the building which shine directly into our bedrooms

--Remove a large tree branch which extends from the Lees property and is laying on the balcony of one of our residence's. This branch can (and may have already) cause damage to our

property. I was present on the property when the Lees "marked" exactly what needed to be cut and removed. The Lees should be cautioned to only remove that branch and NOT further trim to avoid removing other trees, foliage, etc. which are necessary to screen the properties.

--Maintain existing "screening" between the properties and in certain areas add to this screening. I met last year on the site with Fred Bell to show him some areas lacking in screening. Fred agreed to speak with the Lees about adding this screening but nothing has been added in 12 months.

4) I ask that the Commission also again encourage the Lees to keep an open communication and sense of responsiveness to the neighbors. For example, if the Lees plan future events that might cause a distraction or disturbance to the adjacent property, we ask for sufficient notice. The Lees held a "grand opening" on Sunday afternoon, Aug 24. The disturbance was very loud. We would have appreciated a notice before this event occurred.

Regards,

Christine Fronczak

**City of Sunnyvale  
City Council Meeting: 12/2/03**

**Regarding: Lee Dental Building (corner Homestead/Wolfe)**

Comments from  
Christine Fronczak  
1691 Nighthawk Terrace  
Homestead Village Association, President  
408-733-8722

1. Beginning **Spring 2000**, members of the Homestead Village Association (HVA) along with neighbors from the bordering residences were actively involved with the City Planning team and Lees in building of dental structure on Homestead/Wolfe. This property closely borders HVA residences (75 to 100 feet from bedrooms). Original project defined to be *mostly office and some dental/medical*.
2. Several meetings in 2001/2002 concluding with **June 2002** Planning Commission meeting where request for *retail permit denied*. New permit for **increased dental/medical usage allowed**. Residents asked for continued support in preventing Samkee restaurant from parking in Dental lot due to *late evening noise violations, garbage dumped onto our properties from Samkee patrons, etc.* Lees were instructed by Planning Commission to replace "screening" along property borders AND continue working with neighbors to ensure a healthy co-existence between the neighbors and the dental building occupants.
3. Initially, Lees enforced their parking restrictions (chained off lot at night to prevent restaurant parking, installed "towing" signage, etc). Within last 6 months, Lees *no longer prevent restaurant usage* which has caused several reports to *Sunnyvale Public Safety* for late night violations, garbage dumping over our walls, etc. Conversation with Mrs. Lee in September asking for her help. She instructed us to "call the police because that's why we pay taxes". If Lees are NOT allowed retail usage, they should NOT be allowing restaurant retail parking.
4. **Spring/Summer 2003**: Extremely noisy construction on Lee property. Work began before 6:00 a.m. and continued until late in the evening (7 days/week). Resulted in several calls to *Sunnyvale Public Safety*.
5. **Fall 2003**: *New Kitchen/Bath showroom* opens on corner of Lee Dental building. Signage on building says "administrative office" but it is a *showroom* (toilets, cabinets, etc are viewable from Wolfe Road).
6. **Late September, 2003**: Contacted City Planning department to ask "how and why" this showroom is allowed.

7. **October 6, 2003:** Received message back from City Planning indicating that Lees have business permit for admin & medical offices only. City Planning department sends letter to Lees and new showroom owners indicating that they will have until October 24 to clear out showroom and cease operation.
8. **October 27, 2003:** City Planning department indicated that they spoke to Lees on Oct 24 and have advised them re-apply for retail usage.
9. **December 15, 2003:** City Planning Commission meeting scheduled.

**Request Assistance from Sunnyvale City Council:**

1. Investigate ability to re-apply for Retail permit. How many times can this happen? Circumstances have NOT changed with proximity to neighbors (insufficient on-site parking with possible spill over into neighborhood, could lead to traffic problems on that corner, retail usage will cause increased impacts to residential neighborhood through longer hours of operation & increased noise and traffic issues). Neighbors are frustrated with seemingly lack of closure on this issue. Detrimental to our lifestyle.
2. Request closure of retail showroom in Lee Dental building ASAP.
3. Encourage Lees to enforce their parking regulations. Disallow Lees from allowing retail restaurant parking in their lot to avoid continual noise violations during evenings. Lees must be held responsible for all dumping and noise disturbances that occur on their property.

Dear SunnyvalePlanning Commissioner,

I am writing to you to urge you to deny the proposed retail permit for the Lee Dentalbuilding. I am living on Meadowlark lane, and have the following concerns,

1. There is insufficient parking at Lee's Dentalbuilding, and it will cause the overflow into our neighbourhood. Longer retail hours will have a negative impact on our neighbourhood too.
2. The standard rules relating to Lee's Dentalbuilding permit needs to be enforced. Any violation, i.e. for retail use, needs to be removed and corrected.
3. Lee's needs to chain off their parking lot, and dim the lighting at the site after office hours. This has been the agreement between the medical office building and the neighbours when the permit was negotiated. It needs to be observed.

Regards,

Derek

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To: Sunnyvale Planning Commission

From: Henry (Dong) Huang  
1695 Nighthawk Terrace  
Sunnyvale, CA 94087

Re: Lee Dental Building  
1698 S. Wolfe Rd  
Sunnyvale, CA  
Application for retail permit

I am writing this letter to oppose to the proposed retail use at 1698 S. Wolfe Road.

I request that the Commission consider the very close proximity to our residential homes (less than 75 feet from our bedrooms) and deny this application for retail based on the following reasons:

1. Insufficient parking currently for the Lee Dental Offices. Retail usage would increase that parking problem. We have had spill over into our neighborhood and believe that increased usage in this building would cause further parking issues. Since the retail store opened in the Fall of 2003 (without permit in existence), I have noted a great increase of parking issues and traffic congestion on this corner.

2. Expanded usage of the Lee Dental building will cause further noise disturbances and impact to the nearby residences

Further, I request that the Commission discourage further retail permit applications for this property UNLESS a considerable change of circumstances can be proven.

Best Regard,

Henry Huang

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Dear Planning Commission

I would like to let you know that I completely agree with concerns expressed by Christine Fronczac in her letter to you regarding Lee Dental Bldg. & Retail Permit.

Retail usage of this building will worsen parking problem which already exist and will cause further noise disturbances. This will have impact on value of our properties.

Sincerely,  
Olga Katz  
1696 Nighthawk Terrace  
Sunnyvale, CA 94087

To: Sunnyvale Planning Commission

From: Takuji Kimura  
1694 Nighthawk Terrace  
Sunnyvale, CA 94087

Re: Retail permit for Lee Dental Building at 1698 S. Wolfe Rd

Dear Members of the Planning Commission,

I am writing this letter to express my strong opposition against the proposed retail use at 1698 S. Wolfe Road.

We as neighbors initially supported the construction of the building based on the condition that it be used as general medical offices, but not for retail. In June 2002, when Dr./Mrs. Lee applied for change of their permit from medical/dental to retail usage, I also expressed my opposition because a retail building in such close proximity to residential homes will have large adverse impact on our daily lives, including traffic congestion, spill over of parking problems onto residential areas, noise and disturbances into late hours. I do not think the situation today is any different from a year and a half ago.

I would also like to request that the Planning Commission shut down the existing retail usage on the Lee property, namely a showroom for kitchen equipment and furniture.

Your consideration in these matters is greatly appreciated.

Sincerely,

Takuji Kimura

From: 1685 Meadow Lark Lane  
Sunnyvale, CA 94087  
December 7, 2003

To: Sunnyvale City Planning Commission  
c/o Jamie McLeod, Project Planner

Dear Planning Commissioners and City Planning Staff,

I am writing this letter in response to the request to change the status of the permit on the Lee dental building, located at 1696 S. Wolfe Road. The Lees are requesting to change the status of their permit from medical/office to retail for a portion of their building. As a resident who lives directly behind their building, and has been subjected to all of the loud construction noise associated with the illegal kitchen and bathroom showroom now located in their building, I strongly object to this request.

The Lees had **previously requested** to change their permit to retail usage a year and a half ago. The staff recommended against their request and the planning commission **denied** their request. Seeing as how **nothing has changed** since their original request in 2002 (same neighbors, same lack of parking issue, same disruption to the neighborhood), I strongly urge the planning commission to **once again deny their request**.

I look forward to discussing this issue with the planning commission more in-depth at the December 15, 2003 meeting.

Sincerely,  
Helen Hwang